THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.15870 of 1996
Date:01-02-2007

Between:
Telangana Grama Sevakula Sangam (Neeredi-Sethusindi),
Mahabubabad Division,
Warangal District.

Petitioner

And

The Government of Andhra Pradesh,
rep. by it's Secretary to the Government,
Revenue Department, A.P. Secretariat,
Hyderabad and three others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.15870 of 1996

ORDER:

1. This writ petition has been filed seeking a Writ of Mandamus declaring the orders of the State Government contained in their Memo No. 91991/VO.I/92-5, dated 23-01-1996 as illegal. The State Government passed the orders in the said Memo to the following effect:

> *" Government have examined the matter in detail in consultation with Commissioner of Land Revenue and decides to inform all the District Collectors that the position reverts back to the earlier Law in force as far as Village Servants are concerned and that the details of the rotation system practiced is based on local customs, conventions and practices as prevail among the families of Village Servants which ultimately are recognized by the authorities for the purpose of payment of salaries to the Village Servants who actually perform the duties and the person who actually has to perform the duties shall nominated with the consent of other share holders.*
> *All the District Collectors are requested to implement the Votabandi System in case of Seth Sindhies and Neeradies scrupulously."*

2. The cause for the State Government to issue the said memo has cropped up pursuant to the judgment rendered by this court in **Bhoomaiah and others Vs. The District Collector, Medak District at Sangareddy and others,** [1] wherein this court had held that the abolition of Watans in terms of the Andhra Pradesh Watans (Abolition) Act 1978 is only applicable to the Watans held by the Village Officers and not the Village Servants, like Sethsindhies and Neeradies. Therefore, the notification issued purporting to fill up the

posts of Village Servants in that case has been declared as illegal. The State Government is merely implementing the decision of this court referred to supra by informing all the District Collectors that the abolition of Watans is liable to be confined in it's application only in so far as the Village Officers are concerned and the same shall have no application in so far as the Village Servants such as Sethsindhies and Neeradies are concerned. Clearly, the orders of the State Government contained in their Memo dated 23-01-1996 are unexceptionable.

3. Further, the learned counsel for the petitioner airs an apprehension that between 1979 and 1996 the State Revenue Administration has called for applications, made selections and appointed some of the qualified and suitable candidates as Village Servants such as Sethsindhies and Neeradies and by virtue of the orders contained in the impugned memo dated 23-01-1996, it is very likely that these candidates who have been appointed between 1979 and 1996 will be removed from the service. I am not able to imply or read any such apprehension entertained by the writ petitioner into the impugned memo. Therefore, it will be presumptuous on the part of the writ petitioner to apprehend any such risk or danger to their continuance in service as Village Servants. In the unlikely event of their apprehensions materializing, the petitioner society is always at liberty to approach the court and seek an appropriate remedy.

4. With this, the writ petition stands disposed of and the orders passed by the State Government in the impugned memo dated 23-01-1996 are not required to be set-aside or interfered with. No order as

to costs.

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NOOTY

RAMAMOHANARAO, J
01-02-2007
Stp

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[1] 1990 (1) ALT 495